

# SBSD Legislative Update

November 1, 2004

## Year End Recap

This marks the end of a two-year Legislative Session (2003-2004). In the first week of December the newly elected legislators will be sworn in at the Capitol.

In 2003 there were 3,232 bills and resolutions introduced, of those 1,107 bills passed the legislature. 374 bills were enacted into law and Governor Gray Davis vetoed eleven bills and 182 resolutions were adopted. The bills that were not signed by the governor were carried over into 2004. Some of them died in committee while others went through the legislative process to become new laws.

**During 2004** the San Bernardino County Sheriff's Department Legislative Liaison unit reviewed over 5,709 measures (bills + resolutions). 456 resolutions were adopted, 2,233 bills were passed by the legislature, and 1,863 bills signed by Governor Schwarzenegger. The governor vetoed 370 bills. January 2005 is the start of a new two-year session therefore no bills were carried over.

There were 549 bills that went through the Public Safety Committees in the Senate and Assembly. The San Bernardino County Sheriff's Department's Legislative office closely monitored all of these bills that could have a positive or negative impact on our department. And actively lobbied (wrote letters) in support or opposition of 68 of those bills.

One bill in particular that San Bernardino County Sheriff's Department sponsored and supported was AB 1493 (Runner). This new law makes it a felony to have sex with and/or mutilate a dead corpse. This bill was spurred by the tragic event of Adelanto resident, four year old Robyn Gillet's body being sexually assaulted and mutilated by the coroner transport personnel. After the transportation of her deceased body to the morgue, the body transporter sexually assaulted her, only adding despair to the family's already tragic loss. It was then that many people were shocked with the realization that sexually assaulting a corpse was not in itself a crime. Only because the mutilation was so horrible and so grave could the district attorney prosecute under the mutilation clause of the Health and Safety Code.

This year, California lawmakers sent 1,265 bills to first-term Governor Arnold Schwarzenegger, who promptly proceeded to set new records for the fewest bills signed and the most vetoed by a first-year California governor.

The governor signed a bill adding .50-caliber BMG rifles to the state's list of banned weapons. California has the most restrictive assault weapons ban in the nation. Schwarzenegger also demonstrated his commitment to the environment, signing legislation exempting hybrid cars from the passenger requirements for car-pool lanes and banning cruise ships operating in the state from burning garbage and dumping waste. Governor Schwarzenegger vetoed legislation to grant drivers' licenses to illegal immigrants, which sponsors claim they'd developed according to the governor's specifications. But despite the pressure of his first signing session, the governor managed to display his sense of humor and get in a few jibes at legislators. In his veto message for a bill to allow schools to teach students how to manage their personal finances, for instance, he stated that although schools already had that authority, "Requiring legislators to take a refresher course on managing finances may be the wisest investment the state could ever make. California may never have found itself in the deep fiscal crisis that it has had to endure if such a requirement were signed into law earlier."

The governor also signed AB 488 (Assembly Member Parra) and it was enacted with an urgency clause on 9/24/04. This law will allow local law enforcement agencies to list sex offenders' home addresses on the Internet. Less serious offenders can apply for exclusion.

Public Safety has been a focal point with the tragic fires and flooding we experienced that resulted in a loss of lives and property in San Bernardino County. And this has been a historical legislative session with a tremendous amount of effort focused on restoring local governments' funding. Many legislators recognize the needs of law enforcement to provide for public safety.

By clicking on the link below, you may view the complete language of any bill.

[www.leginfo.ca.gov](http://www.leginfo.ca.gov)

## CHAPTERED PUBLIC SAFETY BILLS

[AB 488](#) (Parra) Sex offenders home information available to the public via the Internet.

[AB 911](#) (Longville) Makes the use of or knowingly allowing the use of the 911 telephone system for purposes other than for an emergency, an infraction.

[AB 1493](#) (Runner) Makes sex and/or mutilation of a dead corpse a felony.

[AB 1793](#) (Yee) Video games ratings.

[AB 1907](#) (Pacheco) Increases the amount of property damage and other losses that constitutes the crime of aggravated arson and extends the repeal date of to January 1, 2010.

[AB 2173](#) (Parra) Requires a court to provide a person convicted of a reckless or DUI offense with a specified advisory statement.

[AB 2222](#) (Koretz) Makes it unlawful to operate a motorized vessel or have the engine of the vessel run idle while someone is teak surfing, platform dragging or bodysurfing behind the vessel or while someone is occupying or holding onto the swim platform, swim deck, swim step, or swim ladder of the motorized vessel.

[AB 2395](#) (Correa) Sex offenders required to register when conviction in another state for a sex offense that would require the person to register as a sex offender in that state.

[AB 2527](#) (Frommer) Requires a transient sex registrant to register and reregister no less than once every 30 days.

[SB 1085](#) (Murray) Makes it unlawful to buy, possess, manufacture, install, sell, offer for sale or otherwise distribute devices capable of sending a signal that interrupts or changes the sequence patterns of an official traffic control system, unless the use is by police officer or other emergency vehicle.

[SB 1289](#) (Machado) Requires registration of sex offenders to include the requirement for multiple places.

[SB 1413](#) (Brulte) Abandoned Newborns: Safe Surrender Liability

[SB 1541](#) (Margett) Requires a person convicted of engaging in a motor vehicle speed contest to perform 40 hours of community service. Must provide proof of financial responsibility as a condition to restoration of driving privileges.

**SB 1858** (Dunn) Includes a BB device within the definition of imitation firearm. Any manufacturer, importer or distributor of imitation firearms that fails to comply with any applicable federal law or regulation governing the marking of a toy, look-alike or imitation firearm is subject to a misdemeanor.